

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Inventors: Dennis MENDIOLA et al) Group Art Unit:
)
Serial No.: Not Yet Assigned) Examiner:
)
Filed: August 14, 2001)
)
For: INSTANT MESSAGING SYSTEM)
AND METHOD FOR REMOTE)
NETWORKS USING A)
SEQUENTIAL MESSAGE)
HANDSHAKING PROTOCOL)

**Assistant Commissioner for Patents
Washington, DC 20231**

Sir:

PRELIMINARY AMENDMENT

Prior to examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please cancel claims 16 and 20.

Please replace now pending claims 5-7 and 9-15 with the following claims 5-7
and 9-15:

5. (Amended) The invention as claimed in claim 1 or 2, wherein said remote server is an SMSC server of a GSM network and said client types connected to the SMSC server have SMS capability that is controlled and managed by said SMSC server to provide for SMS there between and IM between the SMSC server and the IM server.

LAW OFFICES

NNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

6. (Amended) The invention as claimed in claim 1 or 2, wherein said sequential message handshaking protocol is CIMD2.

7. (Amended) The invention as claimed in claim 1 or 2, wherein said computer network interconnecting said IM server and said buffer server is the internet.

9. (Amended) The invention as claimed in claim 1 or 2, wherein the IM server is interconnected to a plurality of remote servers via the computer network, each remote server utilising a sequential message handshaking protocol for transmitting and receiving messages with the IM server, whereby a said buffer server is associated with and dedicated to each remote server.

10. (Amended) The invention as claimed in claim 1 or 2, wherein the message are communicated in streaming data between said buffer server and the remote server in well-defined time increments or cycles or sporadically depending on when the messages become available to send.

11. (Amended) The invention as claimed in claim 1 or 2, wherein the buffer server has sufficient memory to buffer up to 255 instant messages received from the remote server to accommodate latency and instability problems associated with the computer network connection to the IM server.

12. (Amended) The invention as claimed in claim 1 or 2, wherein the buffer server has sufficient memory to buffer up to 255 instant messages received from the communication buffer to accommodate different communication speeds between the buffer server and the remote server.

13. (Amended) The invention as claimed in claim 1 or 2, wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of

00442260

LAW OFFICES

INNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

the remote network, and each buffer comprises a circular array to contain the messages currently being processed by the instant messaging system at any one time, and wherein a plurality of statuses are recorded against each message to indicate its particular stage of communication between the IM server and the SMSC server.

14. (Amended) The invention as claimed in claim 1 or 2, wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of the remote network, and each said buffer is provided with synchronization means to reconstruct messages that may have been lost in transit between the buffers as a result of an extended interruption to the computer network linking the same.

15. (Amended) The invention as claimed in claim 1 or 2 claim wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of the remote network, and each buffer comprises a circular array to contain the messages currently being processed by the instant messaging system at any one time, and wherein a plurality of statuses are recorded against each message to indicate its particular stage of communication between the IM server and the SMSC server, and wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of the remote network, and each said buffer is provided with synchronization means to reconstruct messages that may have been lost in transit between the buffers as a result of an extended interruption to the computer network linking the same, and wherein said synchronization means reconstructs messages from said circular array having regard to the statuses of the current messages being processed by the instant messaging system.

REMARKS

The above-identified application has been amended to delete the presence of improper multiple dependent claims. No new matter has been introduced by these amendments. An amended form of claims 5-7, and 9-15 is attached for the Examiner's convenience pursuant to new rule 37 C.F.R. §1.21(c)(1)(ii). This paper is not intended to be entered.

The examiner is respectfully requested to consider the above preliminary amendment prior to examination of the application.

If there are any other fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 14, 2001

By: David W. Hill
David W. Hill
Reg. No. 28,220

DWH/FPD/gah

004TBA" 6643660

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

APPENDIX TO PRELIMINARY AMENDMENT OF AUGUST 14, 2001

Amendment to the Claims

5. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein said remote server is an SMSC server of a GSM network and said client types connected to the SMSC server have SMS capability that is controlled and managed by said SMSC server to provide for SMS there between and IM between the SMSC server and the IM server.

6. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein said sequential message handshaking protocol is C1MD2.

7. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein said computer network interconnecting said IM server and said buffer server is the internet.

9. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein the IM server is interconnected to a plurality of remote servers via the computer network, each remote server utilising a sequential message handshaking protocol for transmitting and receiving messages with the IM server, whereby a said buffer server is associated with and dedicated to each remote server.

10. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein the message are communicated in streaming data between said buffer server and the remote server in well-defined time increments or cycles or sporadically depending on when the messages become available to send.

11. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein the buffer server has sufficient memory to buffer up to 255 instant messages

08098.0013

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

received from the remote server to accommodate latency and instability problems associated with the computer network connection to the IM server.

12. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein the buffer server has sufficient memory to buffer up to 255 instant messages received from the communication buffer to accommodate different communication speeds between the buffer server and the remote server.

13. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of the remote network, and each buffer comprises a circular array to contain the messages currently being processed by the instant messaging system at any one time, and wherein a plurality of statuses are recorded against each message to indicate its particular stage of communication between the IM server and the SMSC server.

14. The invention as claimed in [any one of the preceding claims] claim 1 or 2, wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of the remote network, and each said buffer is provided with synchronization means to reconstruct messages that may have been lost in transit between the buffers as a result of an extended interruption to the computer network linking the same.

15. The invention as claimed in [claim 14 as dependent on claim 13,] claim 1 or 2, wherein the IM server is provided with a communication buffer mirrored to the buffer of said buffer server of the remote network, and each buffer comprises a circular array to contain the messages currently being processed by the instant messaging system at

004430 004430 004430

any one time, and wherein a plurality of statuses are recorded against each message to
indicate its particular stage of communication between the IM server and the SMSC
server, and wherein the IM server is provided with a communication buffer mirrored to
the buffer of said buffer server of the remote network, and each said buffer is provided
with synchronization means to reconstruct messages that may have been lost in transit
between the buffers as a result of an extended interruption to the computer network
linking the same, and wherein said synchronization means reconstructs messages from
said circular array having regard to the statuses of the current messages being
processed by the instant messaging system.

004430-034401

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000